



# COMHAIRLE NAN EILEAN SIAR

## POLICY AND RESOURCES COMMITTEE

Minute of Meeting held in the  
Council Offices, Stornoway,  
on Thursday 9 June 2011 at  
9.30am

### PRESENT

Mr Angus Campbell (Chairman)	Mrs Agnes Rennie
Mr Norman A MacDonald (Vice -Chairman)	Mr John A Maciver
Mr Alexander A MacDonald	Mr Norman M Macleod
Mrs Morag Munro	Mr Roddie Mackay
Mr Archie K Campbell	Mr Charlie Nicolson
Mr Donald Manford	Mrs Annie Macdonald

The Chairman referred to a report which had been discussed at the last meeting of the Committee in relation to the impact of Welfare Reform on the people of the Western Isles and the Comhairle. The Chairman informed the Committee that this matter had been discussed by CoSLA who shared the Comhairle's concerns in relation to vulnerable people in the system and to the impact that direct payments of housing benefit would have in relation to homelessness.

**It was agreed to recommend that the Chief Executive be authorised to request the support of Angus Brendan Macneil MP and Scottish Government in expressing the Comhairle's concerns in relation to the impact of proposed welfare reforms by the UK Government.**

The Chairman referred to the recent decision by Orkney Islands Council to participate in the Local Authority Mortgage Scheme which assisted first time buyers in securing mortgages by the local authority acting as guarantors for up to 20% of a mortgage, thus offsetting the current requirement for a 25% deposit.

**It was agreed to recommend that the Director of Finance and Corporate Resources submit a Report to the next meeting of the Committee in relation to participation by the Comhairle in the Local Authority Mortgage Scheme.**

### MINUTES

- |                                    |   |   |
|------------------------------------|---|---|
| Minute of Meeting of 31 March 2011 | 1 | The Minute of Meeting of 31 March 2011 was <b>approved</b> .  |
| Declaration of Interest            | 2 | <p>Mrs Annie Macdonald declared an interest in items 10 and 33 due to the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project and left the meeting during consideration of the matters.</p> <p>Mr Norman A MacDonald declared an interest in item 28 due to the employment of a member of his family in the home care service and left the meeting during consideration of the matter.</p> <p>Mr Alex A MacDonald declared an interest in item 40 due to the employment of a member of his family in the enterprise network and left the meeting during consideration of the matter.</p> |

**POLICY AND RESOURCES COMMITTEE: 9 JUNE 2011**

Minute of Meeting of Outer Hebrides Community Planning Partnership of 3 March 2011	3	The Minute of Meeting of Outer Hebrides Community Planning Partnership of 3 March 2011 was <b>noted</b> .
Minute of Meeting of Local Government Employees Joint Consultative Committee of 18 May 2011	4	The Minute of Meeting of the Local Government Employees Joint Consultative Committee of 18 May 2011 was <b>recommended for approval</b> .
Minute of Meeting of Human Resources Sub-Committee of 2 June 2011	5	The Minute of Meeting of Human Resources Sub-Committee of 2 June 2011 was <b>noted</b> with the exception of items 25 and 34 which were <b>recommended for approval</b> .
Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 2 June 2011	6	The Minute of Meeting of ICT, Procurement and Asset Management Sub-Committee of 2 June 2011 was <b>recommended for approval</b> .
Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 2 June 2011	7	The Minute of Meeting of Comataidh Buileachaidh Plana Cànan of 2 June 2011 was <b>recommended for approval</b> .
Minute of Meeting of Joint Services Committee of 3 June 2011	8	The Minute of Meeting of the Joint Services Committee of 3 June 2011 was <b>recommended for approval</b> .

**GOVERNANCE**

Single Outcome Agreement: Revision	9	With reference to item 12 of the Minute of Meeting of 30 April 2009 the Chief Executive submitted a Report concerning the revised Single Outcome Agreement for the Outer Hebrides, for submission to the Scottish Government. It was indicated in the Report that the Outer Hebrides Community Planning Partnership had agreed in December 2010 to review the Single Outcome Agreement and make recommendations as to updated priority areas, which had formed the basis of the draft revised Single Outcome Agreement. It was stated in the Report that the Executive Group and the five Outcome Groups had been working on the best means of achieving the identified Outcomes and had identified indicators which would measure the effective implementation of the Single Outcome Agreement. The draft revised Single Outcome Agreement was appended to the Report.
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**It was agreed to recommend that the Comhairle agree for its interest the draft revised Single Outcome Agreement for the Outer Hebrides for submission to Scottish Government.**

It was agreed that the public including the press be excluded from the meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 1 and 6 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder or former office holder, or applicant to become an office holder under, the Comhairle would be disclosed and information relating to the financial or business affairs of any particular person other than the Comhairle.

Mrs Annie Macdonald declared an interest in the following item due to the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project and left the meeting during consideration of the matter.

Western Isles  
Schools Project:  
Options for  
Delivery 10\*

The Chief Executive submitted a Report which detailed options for the future delivery of the Western Isles Schools Project. The background to the process for delivery of the Schools Project was detailed in the Report. The Report outlined the various options for future delivery and evaluated these options in terms of affordability, risk analysis and issues of operational delivery.

It was stated in the Report that a Members' Seminar had recently been held which set out objectively the various options for discussion and, following extensive discussions on the funding options and the amount of financial support from Scottish Government, the Comhairle had agreed to add to the Schools Project a new Primary School for Daliburgh.

**It was agreed to recommend that:**

- (1) the contents of the Report, particularly the updated assessments as to affordability, risk analysis and issues of operational delivery, be noted;**
- (2) the only options for the model of the Western Isles Schools Project should be:**
  - (i) the Construction hybrid model; and**
  - (ii) the Partial Construction hybrid models;**
- (3) the construction hybrid model be adopted on the basis of a single assignation of the lifecycle and FM contract at the end of construction and that further Reports be submitted by the Chief Executive in relation to:**
  - (i) the facilities management/lifecycle maintenance of the schools post construction; and**
  - (ii) how areas of good practice in the WISP could be extended to other capital projects; and**
- (4) authority be delegated to the Chief Executive, in consultation with the Project Board, Board of Sgoiltean Ùra, Scottish Futures Trust and Scottish Government, to implement recommendation (3) above.**

Service  
Business Plans  
2010/11 – End  
of Year Report 11

With reference to item 11(b) of the Minute of Meeting of 17 February 2011 the Chief Executive submitted a Report which provided an update on the Comhairle's progress against 2010/11 service business plan objectives at the end of the financial year to 31 March 2011. Summary narratives of progress to date, outlining key headlines or challenges relating to each service were outlined in the Report. The Report stated that specific information in relation to actions and Performance Indicators relating to individual services was detailed in a more comprehensive end of year report which was on the Comhairle's website.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the Report.**

**GAELIC**

BBC Alba on 12  
Freeview

With reference to the Minute of Meeting of 4 November 2010 the Chief Executive submitted a Report which detailed the success of the campaign to have BBC Alba available on Freeview. It was stated in the Report that the BBC Trust had finally announced, in May 2011, that BBC Alba would commence broadcasting on Freeview from 8 June 2011 on Freeview Channel 8. It was indicated that the Comhairle, along with other Gaelic organisations, had been involved in an intense lobbying campaign for a Gaelic Television Channel and more recently to have the new channel available on Freeview.

Mr Donald Martin and Mr Duncan Macinnes, MG Alba, gave a presentation on the work of MG Alba.

Following the presentation Members were afforded an opportunity to ask Mr Martin and Mr Macinnes any questions.

The Chairman thanked Mr Martin and Mr Macinnes for their informative presentation.

**It was agreed to recommend that the Comhairle note the successful outcome of the campaign and that the Chief Executive be authorised to have discussions with MG Alba in relation to the potential of broadcasting Comhairle meetings on BBC Alba.**

**FINANCE**

General Fund 13  
Capital Outturn  
2010/11

With reference to item 11 of the Minute of Meeting of 17 June 2010 the Director of Finance and Corporate Resources submitted a Report which provided details of the final outturn of the 2008-13 Capital Programme as at 31 March 2011. A summary of the borrowing, income and expenditure for 2010/11 was detailed in the Report. The summary of expenditure, projects to be funded by Prudential Borrowing and projects which had not yet been approved were detailed in the appendices to the Report. It was stated in the Report that Capital Expenditure in 2010/11 achieved had been £15,435k, which equated to 90% of the revised programme at 31 December 2010.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:**

- (1) note that the Western Isles Schools Project was on schedule to deliver the schools in accordance with the contract;**
- (2) note the capital expenditure to 31 March 2011; and**
- (3) agree the revised programme set out in the table at paragraph 4.1 of the Report, for the remainder of the 2008-13 Capital Programme.**

**Arising out of consideration of this matter it was agreed to recommend that information in relation to the decision to implement an IP Telephony system and the progress in implementation of the system would be circulated to all Members.**

Annual Treasury 14  
Management  
Report 2010/11

With reference to item 15 of the Minute of Meeting of 17 June 2010 the Director of Finance and Corporate Resources submitted a Report which detailed the Comhairle's treasury activities for 2010/11. It was stated in the Report that the management and operation of the Loans Fund in 2010/11 had generated Loan Charge savings of £515k compared to budget. It was further stated that the savings had resulted from long term Public Works Loan Board borrowing of £5m Equal Instalment of Principle for 10 years at 2.94% and £10m maturity for 50 years at 3.92%; the budgeted rate having been 4.50%; the use of internal resources to fund capital expenditure in lieu of borrowing; slippage in capital expenditure in 2009/10 and 2010/11 and the prudent investment of significant cash balances. The Report also confirmed that the Comhairle had complied with the Prudential Indicators which had been set for 2010/11.

**It was agreed to recommend that the Report be noted.**

General Fund 15  
Revenue  
Update 2010/11

With reference to item 10 of the Minute of Meeting of 17 June 2010 the Director of Finance and Corporate Resources submitted a Report which detailed the Comhairle's revenue outturn for 2010/11 and sought approval for departmental carry forwards. A summary of the Comhairle's outturn, which showed an indicative unaudited surplus of £4.3m was detailed in the Appendix A to the Report. The Comhairle's balances, including those committed for specific purposes were detailed in Appendix B to the Report and showed that at 31 March 2011 free balances stood at £3,095K.

The Report detailed the financial position of the Comhairle at the end of 2010/11 and highlighted some of the main issues that had impacted on budgets during the year. The Report also recommended the carry forward of departmental over and underspends in accordance with Comhairle policy.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:**

- (1) note the Report;**
- (2) agree the carry forward of budgets as detailed in Appendix C to the Report;**
- (3) agree that Reports on spending proposals for departmental carry forwards be submitted to future meetings of the relevant Service Committees and the Policy and Resources Committee and that such proposals should focus on projects that would help reduce the forecast budget deficit from 2012/13 onwards;**
- (4) agree to allocate £30k from the Chief Executive's carry forward outwith tolerances to fund six Modern Apprentices for a year; and**
- (5) agree that the Director of Technical Services would submit a Report to the August 2011 series of meetings setting out the reasons for the overspend within Technical Services and recommending how this overspend could be addressed.**

It was agreed that the public, including the press be excluded from the meeting during consideration of the following item on the grounds that exempt information as defined in Paragraph 3 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to any particular application for, or recipient or former recipient of, any service provided by the Comhairle, would be disclosed.

Mainland Placement Panel 16\*

With reference to item 25 of the Minute of Meeting of 31 March 2011 a Report was submitted by the Director of Social and Community Services, detailing the decisions of the latest meeting of the Mainland Placement Panel and the current updated list of mainland placements. The Report stated that there were currently twenty seven adult mainland placements with a total cost of £1.701m in 2010/11. Eleven of the placements were currently 100% funded by NHS Western Isles (£417k), NHS Western Isles made a contribution of 50% towards seven placements (£288k) and £5.2k towards another. A further eight placements were currently wholly funded by the Comhairle (£670k), which also made a contribution of 50% towards seven placements (£288k) and £9.2k towards another placement. All twenty seven placements were managed by the Comhairle's Social and Community Services Department placements were detailed in the Appendix to the Report. Details of the more complex placements were appended to the Report.

**It was agreed to recommend that:**

- (1) the decisions taken by the Mainland Placement Panel be noted; and**
- (2) the forecasted combined expenditure of £1.649m in respect of the placements detailed in the Appendix to the Report be noted.**

It was agreed that the public including the press be excluded from the meeting during consideration of the Appendix to the following item on the grounds that exempt information as defined in Paragraph 5 of Schedule 7A to the Local Government (Scotland) Act 1973 namely information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968 would be disclosed.

Specialist Mainland Placements for Children: 2010-11	17*	<p>With reference to item 13 of the Minute of Meeting of 17 February 2011 the Director of Education and Children's Services submitted a Report giving information on the current position with regard to specialist mainland placements for children and of the budgetary implications arising from these placements. It was stated in the Report that the total cost for mainland placements for the period of the financial year 2010/11 was £2,038,858 and that this sum represented an over spend of £385,358 against the revised budget of £1,653,500 for 2010/11. It was further stated in the Report that as two young people currently being cared for in the mainland would return to placements in the Western Isles in the first quarter of the 2011/12 financial year that there would be an impact on the mainland placement budget in the second quarter of the current financial year. The Report referred to the Foster Care Recruitment Strategy, which had resulted in significant expressions of interest and stated that it was hoped that at least two new sets of carers would be presented to the next Fostering Panel for approval, thereby offering additional resources within the Western Isles. The Report gave information concerning respite care on the mainland and it was further intimated that the mainland respite budget had underspent by £14,262 in 2010/11, although this underspend had been offset by the increase in costs incurred for community based respite packages in the Western Isles.</p> <p><b>It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the forecasted costs for special mainland placements, as detailed in the Report, and the actions being taken to address this issue.</b></p>
Winter Maintenance Expenditure 2010/11	18	<p>With reference to item 24 of the Minute of Meeting of 31 March 2011 the Director of Technical Services submitted a Report which provided details of the current position in relation to expenditure on winter maintenance services. The Report stated that the Comhairle had been awarded £298k from the Scottish Government towards the costs of the severe winter in 2010/11 and the current financial position made allowance for this added income which resulted in a revised overall overspend of £619K; it was noted that the final unaudited figure exceeded that stated in the Report..</p> <p><b>It was agreed to recommend that the Comhairle note the Report.</b></p>
Technical Services: Building Maintenance STO Progress Update	19	<p>With reference to Item 21 of the Minute of Meeting of 31 March 2011 the Director of Technical Services submitted a Report providing an update on the financial and operational position within the Property Maintenance Delivery STO. The meeting was advised that the unaudited forecast overall deficit for the STO was £452k taking into account corporate overheads, estimated FRS17 costs and one-off redundancy costs; it was noted that the final unaudited figure exceeded that stated in the Report. Although this remained a concerning sum, it demonstrated an improvement on previous Reports.</p> <p><b>It was agreed to recommend that the Report be noted.</b></p>
Draft Annual Accounts for Year Ended 31 March 2011	20	<p>With reference to item 14 of the Minute of Meeting of 17 June 2010 the Director of Finance and Corporate Resources submitted a Report which sought approval for the submission of the Draft Accounts to Audit Scotland. It was stated in the Report that a remuneration report in respect of Senior Members and Officers in the Comhairle had been included for the first time due to new Regulations. It was indicated in the Report that the deadline for the submission of the accounts to auditors was 30 June 2011 and delegated authority was sought for the Director of Finance and Corporate Resources to include the Police and Fire Board accounts when they were received and also to finalise Note 18.</p>

**It was agreed to recommend that:**

- (1) the Draft Accounts and Group Accounts be approved for submission to Audit Scotland; and**
- (2) it be delegated to the Director of Finance and Corporate Resources to submit the Group Accounts as soon as possible after the figures had been received and also to finalise Note 18.**

**Arising out of consideration of this matter it was agreed to recommend that a Seminar be arranged for Members in relation to the new format of accounts following the publication of the relevant CIPFA guidance.**

Write Off of 21  
Debts

With reference to item 18 of the Minute of Meeting of 31 March 2011 the Director of Finance and Corporate Resources submitted a Report which recommended that a number of irrecoverable debts in respect of Council Tax, Sundry Debts and Housing Benefit overpayments, totalling £10,243.14 be written off. An overview of the total debt written off for the financial years 2010/11 and 2011/12 was detailed in the Report.

**It was agreed to recommend that the debts listed in Appendix 1 to the Report, totalling £10,243.14 be written off.**

**Arising out of consideration of this matter it was agreed to recommend that the Chief Executive be authorised to make representations to the UK Government in relation to mechanisms for payment of housing benefit and recovery of overpayments thereof.**

Innovation and 22  
Investment  
Fund  
Submission

The Director of Development submitted a Report in relation to a proposed submission to the Scottish Government's Innovation and Investment Fund. It was intimated in the Report that the Scottish Government had made available the sum of £50,000,000 for distribution across Scotland under the Innovation and Investment fund which would be allocated following a competitive bidding process. The Report stated that for the 2011/12 financial year government subsidy would be a maximum of £30,000 per unit for council house building and £40,00 per unit for registered social landlord building. The Report indicated that Officers of the Comhairle, Tighean Innse Gall and the Hebridean Housing Partnership had considered potential bids to the Innovation and investment Fund and had established that bids would not work in the Western Isles based on the proposed levels of grant support and that a higher rate of grant plus additional support from the Comhairle was the only way to make bids financially viable. The Report gave detailed information to:

- (1) A bid under the registered social landlord element of the Innovation and Investment Fund for the development of 10 units consisting of 6 new supply shared equity houses and 4 rented houses at Melbost Farm, Stornoway; and
- (2) A bid to the New Innovation Fund for a 5 unit development at Alt na Broig.

The Report highlighted that meeting the criteria for the submission of bids to the Innovation and Investment Funds had been particularly problematic in relation to:

- (1) The Hebridean Housing Partnership being the only mainstream registered social landlord in the area and in the area with the partnership having constraints on its borrowing capacity and flexibility due to existing financial arrangements; and
- (2) The Comhairle being a whole stock transfer council making a bid under the Council House building Programme element of the Innovation and Investment Fund and an attractive opposition as any units constructed under this element of the programme could not remain in the Comhairle's ownership.

The Report concluded that the bids for the development at Melbost Farm Phase 2 and Alt na Broig, Marybank, Isle of Lewis would be assessed during June and July 2011 and that it was proposed that the outcome of the funding bids made under the innovation and investment Fund would be reported to the August Series of Comhairle Meetings.

**It was agreed to recommend insofar as the Committee's interest were concerned that the Comhairle:**

- (1) support in principle the bids by the Hebridean Housing Partnership and Tighean Innse Gall to the Innovation and Investment Fund for new affordable housing as detailed in sections 10 and 11 of the Report;**
- (2) approve the use of £140k of Additional Council Tax Income from Second Homes to support the bid from the Hebridean Housing Partnership;**
- (3) approve in principle the provision of a refundable grant from the Strategic Housing Reserve to assist with the delivery of both bids;**
- (4) seek Scottish Ministers approval to the transfer of the housing land at Allt na Broige, Marybank at nil value to Tighean Innse Gall;**
- (5) delegate authority to the Chief Executive, in consultation with the Director of Finance and Corporate Resources, to finalise the terms of the Comhairle's support to the Hebridean Housing Partnership and Tighean Innse Gall; and**
- (6) approve a Report to the August 2011 series of Comhairle meetings setting out the outcomes of the bid.**

**It was further agreed to recommend that a meeting be sought with the Cabinet Secretary with responsibility for Housing, to discuss housing issues in the Western Isles, at which the Comhairle would be represented by the Chairman, Vice-Chairman and the Leader and that an invitation be extended to the Cabinet Secretary with responsibility for Housing to meet the Committee at a future date.**

Budget Strategy 23  
2012-15

With reference to item 11(a) of the Minute of Meeting of 17 February 2011 the Chief Executive and the Director of Finance and Corporate Resources submitted a Report which provided an update on the development of the Comhairle's Budget for 2012-15. The Report stated that the Comhairle's agreed strategy was to plan for a 5% year on year funding gap and based on the initial £118.4m budget this would amount to £5.9m for 2012/13. It was further stated that, planning for a further year of reductions in the order of 5%, approximately £3.7m would be required through a combination of alternative service delivery and service reductions which could include a reduction in employee costs and the capital programme.

It was indicated in the Report that an evaluation of service choices for 2012/13 would require to be carried out over the summer.

**It was agreed to recommend that the Comhairle:**

- (1) note progress with the development of the 2012/13 budget; and**
- (2) agree to continue to engage with COSLA and the Scottish Government in relation to the distribution of funding.**

## RISK MANAGEMENT

Risk Management Update 24

With reference to item 23 of the Minute of Meeting of 16 December 2010 the Chief Executive and the Director of Finance and Corporate Resources submitted a Report which provided an update on risk management arrangements within the Comhairle. A Risk Management Action Plan was appended to the Report. It was indicated in the Report that, through the Strategic Risk Management Group, the Comhairle had established a comprehensive framework for risk management within the Comhairle and this now required to be followed through and monitored. It was stated in the Report that a revised risk management strategy and policy had been agreed by the Comhairle on 16 December 2010. It was stated that the revised strategy was underpinned by the following elements – Strategic Risk Management Group, Strategic Risk Register, Departmental Risk Registers, Training, Business Continuity Plans, Partnership Working, Project Management, Committee Reports and the Action Plan.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:**

- (1) note the progress with the implementation of risk management within the Comhairle;**
- (2) agree the Risk Management Action Plan appended to the Report; and**
- (3) agree that update reports be presented to the Comhairle quarterly and that if practicable such reports should adopt a 'traffic light' monitoring system.**

## BEST VALUE

Best Value Service Reviews 2011/12 25

With reference to item 33 of the Minute of Meeting of 29 April 2010 the Chief Executive submitted a Report which sought approval for the Best Value Service Reviews proposed for 2011/12. It was stated in the Report that a more strategic approach had been adopted in respect of Best Value Service Reviews in 2010/11 which had resulted in the selection of three Reviews and the introduction of follow up reports six months after completion of the initial Best Value Review. It was further stated in the Report that, following consultation with the Corporate Management Team, it had been suggested that Corporate Travel, Capital Projects and Procurement Contracts be selected for review in 2011/12.

**It was agreed to recommend that the Comhairle approve the Best Value Reviews, and related scopes, for 2011/12 and that consideration be given in the Procurement Contracts and Capital Project reviews to the inclusion of clauses allowing local input to Comhairle contracts to the maximum level permitted by law within the terms of the Comhairle's obligation to achieve best value.**

Best Value Service Review of Waste Management Services 26

The Chief Executive submitted a Report concerning the completion of the Best Value Service Review of Waste Management Services. The Executive Summary for the Best Value Review of Waste Management Services was appended to the Report. The Report highlighted that the current major concern was the lack of an overall strategy and a list of recommendations had been compiled based on the areas of weaknesses and concerns identified in the Review. It was stated in the Report that areas of good practice had been noted across the service but it was evident that national recycling targets were not being met.

**It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the completion of the Best Value Review of Waste Management Services on the basis that the Director of Technical Services would submit an Improvement Plan based on the recommendations contained within the Review to the next meeting of the Environment and Protective Services Committee.**

## COMMUNITY CARE

Western Isles  
Change Plan –  
Update 27

With reference to item 27 of the Minute of Meeting of 31 March 2011 a Report was submitted by the Director of Social and Community Services, advising Members of the latest position in regards to the Western Isles Change Plan. The Report stated that feedback had now been provided on the draft Change Plan and the Report outlined the areas in which the Western Isles should strengthen and develop in the Final Change Plan. The Report outlined the steps being taken to establish core data, measurables, performance monitoring and outcomes. Further work would be undertaken by the Western Isles Partnership, supported by the Joint Improvement Team lead and other key partners, in relation to progressing implementation of the plan. It had been indicated by Scottish Government that a further formal submission by the end of June 2011 was no longer required.

**It was agreed to recommend that:**

- (1) the steps to be taken to strengthen the Change Plan be noted;**
- (2) it be noted that a Report would be submitted to the next series of meetings in respect of the Western Isles Change Plan; and**
- (3) it be noted that a Report would be submitted to future Committee series and the Outer Hebrides Community Planning Partnership on the progress in implementing and achieving the Change Plan outcomes.**

Mr Norman A MacDonald declared an interest in the following item due to the employment of a member of his family in the home care service and left the meeting during consideration of the matter.

Monitoring and  
Management of  
Home Care 28

With reference to item 17 of the Minute of Meeting of 2 September 2010 a Report was submitted by the Director of Social and Community Services, which provided an update on the monitoring and management of home care arrangements. The Report stated that in June 2010 the Comhairle had considered a Report on the Management of Home Care Delivery Hours which indicated that, to ensure the number of home care service hours delivered did not exceed the number of hours agreed by the Comhairle in February 2010, it would be necessary to introduce a waiting list for those service users whose needs were assessed as 'substantial'. It had been agreed that service users assessed as 'critical' would continue to receive a service without delay. Following an Equality Impact Assessment and stakeholder consultation, it had been agreed in September 2010 to implement the waiting list for service users whose needs had been assessed as 'substantial.'

**It was agreed to recommend that the Report be noted.**

Garrabost Care  
Unit 29

With reference to item 40 of the Minute of Meeting of 17 December 2009 a Report was submitted by the Director of Social and Community Services, updating Members on the feasibility of the Garrabost Care Unit and its future operational sustainability. The Report stated that an evaluation of the service had examined the operational feasibility by viewing occupancy levels, the reasons for admission, planned discharges, financial considerations and discussions with service users, staff and other stakeholders. A review of the service had considered the impact of closure on those living within the Care Unit, the local community and any undue pressure placed upon other services. The review had concluded that the Care Unit continued to offer appropriate accommodation and support service where home was no longer a safe option for someone's needs and where their care and support was not appropriate to a care home.

**It was agreed to recommend that the Comhairle:**

- (1) note the outcome of the feasibility study on the future operational sustainability of Garrabost Care Unit; and**
- (2) agree that the Unit continue to operate on its current basis.**

National Care Home Contract	30	With reference to item 9 of the Minute of Meeting of the Joint Services Committee of 29 October 2010 the Director of Social and Community Services and the Director of Finance and Corporate Resources submitted a Report which detailed progress on contract arrangements between the Comhairle and the three local independent care home providers. To ensure a smooth transition over to the use of the contract, it was proposed that the current funding arrangements for 2011/12 would continue rather than a move over to the National Care Home Contract weekly rate. It was stated in the Report that discussions would take place at operational level to identify the most appropriate procurement route for the service going forward and a further Report would be submitted to a future meeting of the Comhairle.
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**It was agreed to recommend that the Comhairle approve the use of the National Care Homes Contract model as the basis for the contractual arrangement with existing external residential and nursing care providers in 2011/12.**

#### **BUILDINGS**

Capital Works: Programme and Progress	31	With reference to item 28 of the Minute of Meeting of 31 March 2011 the Director of Technical Services submitted a Report providing an update on Capital Works in respect of properties in the Policy and Resources and Social Work Accounts.
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**It was agreed to recommend that the Comhairle note the Report.**

Repairs and Maintenance (Revenue) Programme 2010/2011: Quarterly Expenditure Report to March 2011	32	With reference to item 22 of the Minute of Meeting of 17 February 2011 the Director of Technical Services submitted a Report which detailed the current situation in relation to expenditure on the repairs and maintenance of properties held on Policy and Resources Committee accounts to 31 March 2011.. Expenditure to 31 March 2011 was detailed in the Appendix to the Report.
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**It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the Report.**

Mrs Annie Macdonald declared an interest in the following item due to the employment of a member of her family by a subcontractor of the main contractor for the Western Isles Schools Project and left the meeting during consideration of the matter.

Western Isles Schools Project: Update	33	With reference to item 29 of the Minute of Meeting of 31 March 2011 the Chief Executive submitted a Report providing information on the Western Isles Schools Project. The Report stated that, as at 9 May 2011, there had been no delays at any of the sites which would negatively impact on the Service Availability Dates of the Schools included in the Western Isles Schools Project. Appendix 1 to the Report contained the latest Sgoiltean Ùra LLP Progress Report, which provided an overview of the progress at each of the sites of those Schools included in the Western Isles Schools Project, in addition to other project information. It was further stated that the Comhairle's project team were responding to all requests for information in accordance with the Reviewable Design Date (RDD) Process. The Report also intimated that following the decision to include a new school at Daliburgh, within the Western Isles Schools Project, meetings had taken place between Officers of the Comhairle, Sgoiltean Ùra LLP, FMP and Stakeholders with a view to beginning the main works in May 2011 with completion of the new School due for July 2012. The Report commented that Service Availability at Balivanich and Point Primary Schools remained on track for July and August 2011 respectively and that the Western Isles Schools Project Team had been working closely with both schools to develop the strategy for the transfer of legacy equipment and resource material.
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**It was agreed to recommend, insofar as the Committee's interests were concerned, that the Comhairle note the Report.**

## HOUSING

Private Sector 34  
Housing  
Budgets and  
Review of the  
Scheme of  
Assistance

The Director of Development submitted a Report giving information in relation to Private Sector Housing Budgets and also on proposals to review the Scheme of Assistance. The Report intimated that every Scottish Local Authority was required to produce a Scheme of Assistance for their own area which would state the types of assistance which would be available to help home owners and that the Comhairle had agreed to review the Scheme which had been approved in December 2009 after it had been operational for a period of 1 year. The Report stated that the Scheme of Assistance was radically different from the previous improvement and repairs grant system operated by the Comhairle and that legislation now required home owners to use their own resources before receiving any grant funding. The Report gave information on the Scheme of Assistance during its first year of operation and intimated that the Comhairle had received 402 enquiries under the Scheme of Assistance and of this total 189 cases were still being considered with a further 213 cases having been concluded as follows:

- 57 cases resulted in advice only being offered.
- 19 cases had undertaken or were in the process of undertaking the required works using their own resources.
- 21 cases where works were not proceeding due to a change in circumstances.
- 116 cases which were ineligible for assistance under the Scheme.

The Report intimated that the issues identified as a result of the first year of operation of the Scheme including home owners indicating that they were finding it particularly challenging to obtain private funding had re-enforced the need to undertake a detailed and qualitative analysis of the Scheme with service users and it would be appropriate to undertake the planned review of the Care and Repair service at the same time on the basis that the review of the Care and Repair Service would examine the overall role in performance of Care and Repair in delivering the service under the new Scheme of Assistance. The Report concluded that under the current Scheme of Assistance a combination of high, below tolerable standard levels, fuel poverty low incomes and a high proportion of elderly applicants appear to have resulted in certain client groups finding it very difficult to raise their own funding contribution toward to cost of necessary works. And that this had been reflected in the low take up of the Scheme of Assistance with the result that the overall condition of the housing stock in the Western Isles was likely to deteriorate in future years and that it was therefore necessary to undertake further work to examine the possible ways of improving the Scheme of Assistance whilst taking account of local housing strategy priorities.

**It was agreed to recommend, insofar as the Committee's interest were concerned, that the Comhairle:**

- (1) note the approach to the review of the Scheme of Assistance and that the results of the review and any proposals for change be reported to the Comhairle in August 2011;**
- (2) agree that a review of the Care and Repair Service be carried out and reported to the Comhairle in December 2011;**
- (3) agree to consider a progress Report on the 2012/13 Private Sector Housing Budget in August 2011, on the basis that this matter would be considered by the Local Housing Strategy Member Officer Working Group, as soon as possible.**

## CAPITAL PROGRAMME

Major Harbour Development – Ardveinish 35

With reference to Item 31 of the Minute of Meeting of the Sustainable Development Committee of 26 August 2009, the Director of Development submitted a Report providing an update on the proposed harbour development at Ardveinish, which had been discussed at the Fisheries Joint Consultative Committee on 13 May 2011. The Report stated that the proposals for Ardveinish had been identified as a priority for development under the Comhairle's Capital Programme for Major Harbour Development. The Report referred to a feasibility study undertaken by Wallace Stone, Consultants, in consultation with the local fishing industry and which had identified a modified box-type structure at Bay Haulavagh, as the preferred option at an estimated cost of £1,926k. Due to the limited resources available, a further review of the original preferred option had identified a smaller modified box-type harbour development, estimated at £1,219k, as the option favoured by the local industry.

The Report further stated that it had been confirmed in March 2011 that a bid to the European Fisheries Fund (EFF) had been successful in achieving additional funding of £427k towards the costs of the proposed harbour development. The Report highlighted due to the current economic climate of scarce financial resources and with other issues facing the fishing industry, such as a fleet modernisation, that it was essential that any capital funding be used to achieve the greatest economic gain for the fishing industry and the wider economy in the Outer Hebrides. It was also emphasised that following consultation with fishermen and other stakeholders, that given existing resources, the preferred development was as detailed in 'Review Option 1' in the Report.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that:**

- (1) the Comhairle note the current position regarding the Ardveinish Harbour Development;**
- (2) the Comhairle note that a further Report would be submitted to the next Meeting of the Committee; and**
- (3) the Comhairle agree that further consultation take place with the fishing industry prior to the production of that Report.**

Office Accommodation Marybank Depot 36

The Director of Technical Services submitted a Report which sought approval to transfer financial provision from the Capital Programme 2008-13 for improvements to the office accommodation at Marybank Depot in order to increase the useable life of the building and reduce energy consumption. A detailed Project Initiation Document, which detailed the proposed works was appended to the Report. The Report stated that it was proposed to use the Internal Property Maintenance Delivery Team to undertake the works. The initial estimate of £60k had been revised to £80k to allow for the increase of outer wall insulation if practical and the intention would be to keep spend as low as possible.

**It was agreed to recommend that the Comhairle approve the Project Initiation Document appended to the Report as Appendix 2.**

Marybank Depot Improvements 37

The Director of Technical Services submitted a Report which sought approval to adopt the strategy of improving facilities at Marybank Depot with the purpose of rationalising and consolidating service provision, archiving and storage at that location. The Report and the Appendix to the Report detailed the options which had been considered for improvements and the opportunities for rationalisation and evaluated these options. It was stated in the Report that provision of £250k had been made in the Comhairle's Capital Programme (Core and Statutory) 2008-2013 for the improvements.

**It was agreed to recommend that the Comhairle agree to the strategy of improving facilities at Marybank Depot in order to rationalise and consolidate service provision, archiving storage and that a further Report be submitted not later than the December 2011 meeting of the Committee in relation to the longer term strategy with particular reference to office accommodation.**

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6, 8 and 9 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle, information relating to the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property of the supply of goods or services and any terms proposed, or to be proposed by, or to the Comhairle, in the course of negotiations for a contract for the acquisition, or disposal of property or the supply of goods or services, would be disclosed.

Harris Care 38\*  
Development

With reference to item 28 of the Minute of Meeting of 18 February 2010 the Director of Technical Services submitted a Report which detailed the tenders received for the Harris Care Development and recommended how the funding gap could be bridged. It was indicated in the Report that the project required an additional budgetary allocation, over and above that previously agreed by the Comhairle in order for it to be completed. It was recommended in the Report that uncommitted funding in the 2008-13 Capital Programme be allocated to the project to allow it to proceed without further delay.

**It was agreed to recommend that the Comhairle agree to allocate up to £428k of uncommitted funding in the 2008-13 Capital Programme to the Harris Care Development project to enable the lowest tender to be accepted.**

#### ENERGY

Outer Hebrides 39  
Community  
Energy Fund  
(OHCEF)

The Director of Development submitted a Report seeking approval, in principle, to establish an 'Outer Hebrides Community Energy Fund' (OHCEF), a revolving loan facility for renewable energy projects, and sought authorisation for the Director of Development to explore funding options with a view to reporting back to the next meeting with details of the Fund and Scheme of Administration.

The Report stated that most community energy developers were now facing a major obstacle in terms of accessing bridging finance and the proposed Fund represented a way in which the Comhairle and its partners could facilitate this process and support community renewable projects while achieving significant wider benefits. The Report further stated that if the OHCEF were established, risk minimisation would be essential and applicants would be required to submit bank references, copies of bank agreements for construction costs, copies of consents and a Grid Connection Agreement. There also would be range of benefits for the Comhairle arising out of the proposal in addition to the obvious regeneration and climate change benefits. The Comhairle would receive a revenue benefit in terms of interest payments on these loans, and looking further ahead, it may be appropriate for the Comhairle to consider whether there were equity opportunities arising through any potential investment in these schemes.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that:**

- (1) the Comhairle support, in principle, the establishment of the Outer Hebrides Community Energy Fund and that the Director of Development be authorised to develop a Scheme of Administration for the operation of the Fund and to explore funding arrangements with the Comhairle's partners; and**
- (2) the Comhairle use all reasonable endeavours in order to facilitate renewable energy development (including, if necessary, land acquisition powers) and to assist the introduction of the Western Isles Transmission Link.**

## ECONOMIC DEVELOPMENT

Mr Alex A MacDonald declared an interest in the following item due to the employment of a member of his family in the enterprise network and left the meeting during consideration of the matter.

Review of the Purpose of an Enterprise Agency 40

With reference to item 33 of the Minute of Meeting of 2 September 2010 the Director of Development submitted a Report providing details of the outcomes of the Scottish Government's Fundamental Review of the Purpose of an Enterprise Agency. The conclusions and recommendations were detailed in the Appendix to the Report.

The Report stated that, towards the end of 2010, the Economy, Energy and Tourism Committee of the Scottish Parliament had undertaken a "fundamental review of the purpose of an enterprise agency and the success of recent reforms". The Comhairle had responded formally, and argued that the functions of Highlands and Islands Enterprise (HIE) would be best delivered through Local Authorities, and that these functions should be adequately resourced and that the economic strategy should have a national focus, with the ability to be interpreted to meet and match local needs and aspirations. In November 2010, the Comhairle had subsequently presented evidence in person to the Committee and the review had been concluded in March 2011.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the outcomes of the Scottish Government's Fundamental Review of the Purpose of an Enterprise Agency and the Success of the Recent Reforms.**

## EUROPEAN STRUCTURAL FUNDS

Round Applications for European Structural Funds – Outcome of Stage 1 Bids 6 41

With reference to item 42 of the Minute of Meeting of 2 September 2010 the Chief Executive submitted a Report which provided an update on Round 6 European Funding bids. It was stated in the Report that three ESF/ERDF unsuccessful bids from the previous Round 5 European Funding applications, namely, Supporting the Outer Hebrides Hydrogen Infrastructure, Developing the Outer Hebrides Hydrogen Infrastructure and Lews Castle/ Museum nan Eilean had been resubmitted in March 2011. It was further stated that the Outer Hebrides Hydrogen Infrastructure and Developing the Outer Hebrides Hydrogen Infrastructure had been successful at Stage 1 and had been submitted for Stage 2. Discussions were ongoing with Scottish Government and representatives of the Highlands and Islands Partnership Programme (HIPP) in relation to the best means of progressing the Lews Castle/Museum nan Eilean project which had been unsuccessful at Stage 1.

The Report indicated that the Big Lottery Fund bid for funding for An Cotan (Lews Castle College Nursery) had been unsuccessful and this had presented a fresh financial challenge as the Lews Castle College Nursery had been part of the Comhairle's bid and the site to be vacated was an integral part of the Lews Castle/Museum nan Eilean Project. The Report stated that discussions had been initiated with Lews Castle College to try and identify other funding sources.

**It was agreed to recommend that the Comhairle note the Report.**

Round European Social Fund (ESF) – 2011 Challenge Round Applications 7 42

The Chief Executive submitted a Report which sought approval to submit three projects to the Round 7 European Social Fund Challenge Round. It was indicated in the Report that registration of projects had required to be made by 3 June 2011 and the ESF stage 1 deadline was 17 June 2011. It was stated in the Report that three potential Comhairle projects had been identified, namely, a joint project between the Comhairle and NHS Western Isles to increase investment in physical activity and sport entitled "Healthy Islands", the second phase of the Harris Tweed Skills Development Programme and a Gaelic Education Project proposed by the Education and Children's Services Department. The three projects, which were considered to be a good fit with the three ESF priorities, were detailed in the Report.

**It was agreed to recommend that the Comhairle note that expressions of interest have been submitted for the three projects detailed in paragraph 2.2 of the Report and authorise the Chief Executive to submit formal applications.**

European Fisheries Fund – Axis 4 43 The Director of Development submitted a Report providing an update on the Scottish Government proposals for the delivery of European Fisheries Fund (EFF) Axis 4 for the sustainable development of fisheries areas. The Report stated that the Outer Hebrides had been allocated £275k on the basis that this sum was matched by £92k from other public funds and the report sought approval for the Comhairle to act as the lead partner in the administration of the EFF Axis 4 programme. The Report further stated that initially the Scottish Government had proposed that the funding be delivered through LEADER, with the Comhairle identified as lead partner. However, new delivery arrangements had been put in place, separate from LEADER but based on the LEADER methodology, and involved the establishment of Fisheries Local Action Groups (FLAGs) who would be required to develop a Local Development Strategy (LDS) based on the priorities for the local area, but which also reflected the Single Outcome Agreement and Community Plan with the responsibility for the approval of funding cases. Therefore, the Comhairle had been invited to submit an Expression of Interest (EOI) by 26 May 2011 and, subject to approval, there would be a requirement to establish a Fisheries Local Action Group (FLAG) and to prepare a Local Development Strategy (LDS) and a Business Plan.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle:**

- (1) agree to act as lead partner in the administration of the European Fisheries Fund (EFF) Axis 4 Programme;**
- (2) note the action taken to submit an Expression of Interest to the Scottish Government; and**
- (3) note that a further Report on all financial and administrative aspects of European Fisheries Fund (EFF) Axis 4 would be submitted to the next Committee series.**

ISLE-PACT 44 With reference to item 41 of the Minute of Meeting of 31 March 2011 the Director of Development submitted a Report which detailed progress with the ISLEPACT project which was co-ordinated by the Comhairle and aimed to reduce carbon emissions by 20% by 2020. A provisional list of ISLEPACT bankable projects, developed from input to the Members' Seminar on 16 February 2011, was detailed in Appendix 1 to the Report. It was stated that these were projects which are considered deliverable over the short to medium term (three to five years). Beyond that, the Comhairle's final ISLEPACT submission would outline some additional, more visionary, projects for consideration in the longer term, for example Hydrogen Sea Transport or a renewables equipped Sound of Harris Fixed Link.

**It was agreed to recommend that the Comhairle note the level of progress made to date in respect of the ISLE-PACT project.**

Outer Hebrides LEADER Programme 2007-2013: Match Funding Shortfall 45 With reference to Item 37 of the Minute of Meeting of 25 June 2008, the Director of Development submitted a Report seeking approval to allocate up to £80k from the Comhairle's EU Revenue Match Fund to address the identified financial shortfall in the Outer Hebrides LEADER Programme, 2007-2013 to ensure that the full administrative costs were met. The Comhairle, as lead partner for the Outer Hebrides LEADER 2007-2013 Programme, was required to seek internal match-funding for administrative costs, including salaries, until the end of the Programme whilst ensuring the local Programme was sufficiently managed to its completion.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle agree to allocate up to £80k from the Comhairle's EU Revenue match Fund to address the identified financial shortfall in the Outer Hebrides LEADER Programme 2007-2013.**

## HUMAN RESOURCES

Trade Union Representation 46 The Chief Executive and the Director of Finance and Corporate Resources submitted Report which proposed the continuation of arrangements for Trade Union representation. It was stated in the Report that the Comhairle had agreed to provide funding to support two full time Trade Union representatives for Unison and Unite at the time when the Comhairle was working towards the implementation of Single Status and recognised the importance of

**It was agreed to recommend that the Comhairle agree to maintain its support for Trade Union Representation at the current level until March 2014 on the basis set out in the Report.**

Mobile and Landline Communications Policy 47 The Chief Executive submitted a Report which proposed a new Policy on Mobile and Landline Communications to replace the existing Mobile Phone Policy. The proposed Policy was appended to the Report. It was stated in the Report that, in a recent Best Value Review, one of the findings had been that policy and practice surrounding the allocation of mobile phones required updating and that the issue of mobile phones should be linked to the needs of a particular job rather than individual preference. The proposed future provision of telephone allowances and broadband payments was detailed in the Policy. It was stated in the Report that the proposed Policy had been approved by the Local Government Employees JCC.

**It was agreed to recommend that the Mobile and Landline Communications Policy attached at Appendix 1 to the Report be approved with an implementation date of 1 July 2011.**

Policy on the Payment of Travelling Expenses and the Reimbursement of Expenditure 48 The Chief Executive submitted a Report which proposed amendments to the conditions surrounding repayment of travelling expenses. The proposed Policy, together with a revised employee expenses sheet, was appended to the Report. The main changes to the existing scheme were outlined in the Report. It was stated that the benefit of the revised scheme was that the conditions of repayment of expenses had been detailed in full. Receipted expenditure had been deemed to be a better option for the Comhairle in relation to VAT claims and improved financial checking of claims. It was stated in the Report that the proposed Policy had been approved by the Local Government Employee JCC and the Local Negotiating Committee for Teaching Staff.

**It was agreed to recommend that the Policy on Payment of Travelling Expenses and Reimbursement of Expenditure attached at Appendix 1 of the Report be approved with an implementation date of 1 August 2011 taking into account the views expressed by the Local Negotiating Committee: Teaching Staff.**

Employee Expenses Efficiencies – 49 The Chief Executive submitted a Report which outlined the pattern of payment of expenses and made recommendations with a view to ensuring efficiencies in the expenses system. It was stated in the Report that the total amount of expenses paid to employees from 1 January to 31 December 2010 had been analysed and it was clear that the level of travel required to be addressed and it was proposed to report on mileage expenses, islands subsistence and mainland subsistence above certain levels to the Human Resources Sub-Committee.

**It was agreed to recommend that:**

- (1) claims above £3000 on total expenses of any employee be reported to Human Resources Sub-Committee;**
- (2) mileage claims above £2000 of any employee be reported to Human Resources Sub-Committee; and**
- (3) claims above £500 for island subsistence expenses of any employee be reported to Human Resources Sub Committee.**

Grievance Procedure – Chief Executive	50	<p>The Head of Human Resources submitted a Report which proposed a variation to the existing Grievance Procedure dealing with grievances against the Chief Executive. The Report stated that this variation had been sought by the Local Government Employees JCC and that the proposed variation had been approved by the said JCC for its interests. It was proposed that an appendix be added to the existing Grievance Procedure to cover cases where an employee raised a specific grievance against the Chief Executive. It was clarified that this procedure would apply to the Conduct of the Chief executive and not to matters of Comhairle policy.</p> <p><b>It was agreed to recommend that the amendment to the existing Grievance Procedure to cover grievances directly against the Chief Executive detailed at Appendix 1 be approved.</b></p>
Revised Violence and Aggression Policy	51	<p>The Chief Executive submitted a Report which sought approval of the revised Violence and Aggression policy and the introduction of notices which set out the expected behaviour of customers. The revised Policy detailed the rights of the Comhairle to remove or ban customers who were aggressive or violent towards employees and the right to involve the police. The Policy also stated that the Comhairle would publicise its policy on violence and aggression. Section 5 of the Policy detailed the requirement for Risk Assessments, informing managers of their responsibility to ensure that posts which carried a risk of verbal or physical abuse were identified and measures put in place to reduce the risk.</p> <p>The revised Violence and Aggression Policy and the draft Violence and Aggression Notice were appended to the Report. It was indicated that the draft policy and Notice had been approved by the local Government Employees JCC for its interest.</p> <p><b>It was agreed to recommend that the Comhairle approve:</b></p> <ul style="list-style-type: none"><li><b>(1) the revised Violence and Aggression policy attached as Appendix 1 to the Report; and</b></li><li><b>(2) the Public Notice attached as Appendix 2 to the Report.</b></li></ul>
Single Duty	Equality 52	<p>The Chief Executive submitted a Report which sought approval of a draft Single Equality Scheme which set out the Comhairle's equality objectives for 2011-2015. It was stated in the Report that the general equality duty set out in the Equality Act 2010 highlighted areas where those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:</p> <ul style="list-style-type: none"><li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the said Act;</li><li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and</li><li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li></ul> <p>It was stated that the Equality Act 2010 covered eight protected characteristics, namely, age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation and that all the protected characteristics should be taken into account when publishing equality objectives and that this would be achieved through the Single Equality Scheme.</p> <p><b>It was agreed to recommend that the Comhairle approve the Single Equality Scheme attached as Appendix 1 to this Report.</b></p>

## LEGISLATION

Equality Act 2010 53 With reference to item of the Minute of Meeting of 31 March 2011 the Chief Executive submitted a Report to detail a list of policies prioritised for review in terms of the Equality Act 2010 and relevant Guidance. The Report stated that Equality impact assessments provided evidence used to prevent or remedy discriminatory practices which would breach legislation. The guidance on the requirement to carry out equality impact assessments had been strengthened and priority must be given to areas where concern has been raised about the effects of certain practices or policies. The list of policies submitted by Heads of Service had been compiled into a policy register held by the Corporate Policy Manager. The policies submitted had then been assessed for inclusion on the prioritised list and the assessment criteria used were based on the principles set out in the Equality Act 2010 as well as relevant guidance. The criteria were detailed in the appendix to the Report. Paragraph 2.6 detailed the policies assessed as having priority for review and paragraph 2.8 detailed how reviews would be conducted. It was hoped to make use of online tools as much as possible to ascertain views of the public while always offering an alternative for those who did not have access to computers.

**It was agreed to recommend that:**

- (1) the Comhairle approve the list of policies prioritised for equality impact assessment and agree that interlinked policies be subject to combined consultation exercises;**
- (2) those policies that require to be equality impact assessed be reviews by the responsible persons detailed in Appendix 2 of the Report in accordance with the provisions of paragraph 2.8 be approved; and**
- (3) copies of all new or revised policies be submitted to the Chief Executive for inclusion in the Corporate Policy Register.**

## RELATED MATTERS

Integrated Children's Services Plan 2010-2013 – Annual Review of Progress (April 2011) 54 The Director of Education and Children's Services submitted a Report which highlighted the progress made in implementing the Action Plan from the Integrated Children's Services Plan 2010-2013. The Report stated that the Plan had been approved by the Comhairle in June 2010 and by NHS Western Isles in December 2010 and that it had been agreed by partner agencies that progress in implementing the Action Plan would be reviewed on an annual basis by the Chief Officers' Group. It was further stated in the Report that significant progress had been made in a number of key priority areas which linked directly to the Community Plan and National and Local Performance Indicators. The progress that had been achieved in 2010-11 was summarised in the Report in detail and the updated Action Plan was appended to the Report.

**It was agreed to recommend, in so far as the Committee's interests were concerned, that the Comhairle note the progress that had been made in implementing the Integrated Children's Services Plan 2010-13 Action Plan.**

## PERFORMANCE MONITORING

Reports Outstanding: Progress 55 With reference to item 55 of the Minute of Meeting of 31 March 2011 the Chief Executive submitted a Report detailing those Reports Outstanding arising from decisions of the Committee.

**It was agreed to recommend that the Comhairle note the Report.**

## URGENT ITEMS

The Chairman ruled that, in accordance with the provisions of Section 50(B) (4) of the Local Government (Scotland) Act 1973 as amended, that the following five items be considered as a matter of urgency in order to allow the Comhairle to take a view on the matter prior to the next series of Meetings.

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6, 8 and 9 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle, information relating to the amount of any expenditure proposed to be incurred by the Comhairle under any particular contract for the acquisition of property of the supply of goods or services and any terms proposed, or to be proposed by, or to the Comhairle, in the course of negotiations for a contract for the acquisition, or disposal of property or the supply of goods or services, would be disclosed.

Coastal Protection Schemes: Update Report

56\* The Director of Technical Services submitted a Report stating that following an assessment of the tenders received for the Ludag Road Coastal Protection Scheme it was necessary to give consideration to the budgetary position for the Coastal Protection Schemes at Balivanich and Pol na Crann. It was suggested in the Report that the review of the Coastal Protection Schemes be undertaken in the context of the forthcoming review of the 2008 – 13 Capital Programme. It was further suggested in the Report that it would be appropriate to continue to complete the design and tender process for the Balivanich Coastal Protection Scheme.

**It was agreed to recommend that the Comhairle proceed with the work at Ludag Road and consider the allocation of any additional funding for the remaining two schemes at Balivanich and Pol Na Crann, as part of the forthcoming review of the 2008 – 13 Capital Programme.**

Scottish Affairs Committee Inquiry (The Crown Estate)

57 The Director of Development submitted a Report which detailed a draft submission to the UK Government Scottish Affairs Committee's current Inquiry into the management of The Crown Estate in Scotland. The draft response, by the Comhairle, to the Scottish Affairs Committee was appended to the Report. The Report stated that the Comhairle had consistently argued that management of The Crown Estate in Scotland should be devolved to Scottish Ministers in order to enhance accountability and transparency and that control of marine lease revenues should be devolved to the Local Authority or to a suitable elected Trust in the host community.

**It was agreed to recommend that the Comhairle approve the draft response to the Scottish Affairs Committee's current Inquiry into the management of The Crown Estate in Scotland.**

It was agreed that the public, including the press, be excluded from the Meeting during consideration of the following item on the grounds that exempt information as defined in Paragraphs 6 of Schedule 7A to the Local Government (Scotland) Act 1973, namely, information relating to the financial or business affairs of any particular person other than the Comhairle, would be disclosed.

Cross School and Schoolhouse

58\* With reference to item 18 of the Minute of Meeting of the ICT, Procurement and Asset Management Sub-Committee of 2 June 2011 the Director of Technical Services submitted a Report which provided further information in relation to the transfer of Cross School and Schoolhouse into the ownership of Comunn Eachdraidh Nis.

**It was agreed to recommend that the Comhairle agree the transfer of title of Cross School and Schoolhouse to Comunn Eachdraidh Nis in return for a quarter acre site adjacent to the current museum site in Habost on the basis that the current capital grant funding of £40k to Comunn Eachdraidh Nis be reallocated within the Comhairle's Capital Programme and that Croileagan Nis would continue to be accommodated in the premises until after their accommodation at Lionel School was ready for occupation and on such other terms and conditions as the Chief Executive, in consultation with the Director of Education and Children's Services and the Director of Technical Services, should determine.**

Schools Estate Strategy: Request from Scottish Government for Moratorium on School Closures 59 The Director of Education and Children's Services submitted a Report which provided details of a request by the Cabinet Secretary for Education and Lifelong Learning that all Councils in Scotland agree to a moratorium on further school closures from 20 June 2011 for one year. A copy of the Cabinet Secretary's letter was appended to the Report. It was stated in the Report that all Councils were also requested to suspend any current rural school proposals and consultations and, in the Comhairle's case, this would affect the proposed consultation on the closure of Eriskay School.

**It was agreed to recommend that the contents of the Report be noted and that the Comhairle respond to the Cabinet Secretary's request in conjunction with other Local Authorities through CoSLA.**

Pairc Trust 60 The Chairman referred to the announcement earlier that morning that the Scottish Government had halted the procedure in terms of the Land Reform (Scotland) Act 2003 due to legal action. He stated that the reasoning behind the announcement had yet to be clarified.

**It was agreed to recommend that the Comhairle authorise the Director of Development to make contact with the Scottish Government and Pairc Trust to determine the full details of the situation to enable the Comhairle to provide appropriate assistance towards achievement of the purposes of the community's application to acquire to acquire the land.**